

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Dean Benter,

Plaintiff,

v.

Civ. No. 05-2780 (JNE/RLE)
ORDER

State of Iowa; (Dept. of Transportation),
Rhonda _____?,
Lois _____?,
State of Minnesota,
Minnesota License Office,
(LaCrescent, MN. & ST. Paul, MN.),
City of LaCrescent Police Dept., and
Officer James H. Michalke Badge # 204,

Defendants,

This case is before the Court on a Report and Recommendation issued by the Honorable Raymond L. Erickson, Chief United States Magistrate Judge, on December 12, 2005. The magistrate judge recommended that Plaintiff's application for leave to proceed in forma pauperis be denied and that the action be summarily dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) and (iii). Plaintiff objected to the Report and Recommendation. The Court has conducted a de novo review of the record. Based on that review, the Court adopts the Report and Recommendation. Therefore, IT IS ORDERED THAT:

1. Plaintiff's application for leave to proceed in forma pauperis [Docket No. 2] is DENIED.
2. Plaintiff's Complaint [Docket No. 1] is DISMISSED.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: February 27, 2006

s/ Joan N. Ericksen
JOAN N. ERICKSEN
United States District Judge